Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 014-00428-2316-461	Date: 02/02/14	Time: 1616 HOURS	
Location: [redacted] Carolyn Street, Cerritos	City or Station: Cerritos Station		
Bureau/Station/Facility: South Patrol Division / Cerritos Station	Admin. Investigation: ○ YES ◉ NO		
Type of Force: Control Hold, Hobble			
Incident Category: ○ 1 ○ 2 ◉ 3	Deputy Injury: ○ YES ◉ NO	Suspect Injury ◉ YES ○ NO	
☒ Call ☐ Observation ☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit		
IAB Notified: ◉ YES ◉ NO	Person Notified: Lt. Weber	Emp: [redacted]	IAB Roll Out ◉ YES ○ NO

Involved Employee

E1

Employee #: [redacted]	Last Name: Liu	First Name: Luke	Middle I.: NMN	Rank: Dsg		
Sex: ○ M ◉ F	Race: A	Height: 507	Weight: 140	Age: [redacted]	Shift: ○ EM ○ Day ◉ PM	◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Cerritos Station	Work Assignment (Unit #, Module, etc.): Unit 231					
Individual Force Used: Contol hold, Resistive Handcuffing, Hobble	○ Directed ○ Rescue ○ Medical Assist	Individual Category ○ 1 ○ 2 ◉ 3				
☐ Injured ☐ Treated ☐ Admitted	Facility:	Coroner Case #				

E2

Employee #: [redacted]	Last Name: Diaz	First Name: Donald	Middle I.:	Rank: Dsg		
Sex: ◉ M ○ F	Race: H	Height: 511	Weight: 225	Age: [redacted]	Shift: ○ EM ○ Day ◉ PM	◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Cerritos Station	Work Assignment (Unit #, Module, etc.): Unit 233A					
Individual Force Used: Control Hold, Resistive Handcuffing,	○ Directed ○ Rescue ○ Medical Assist	Individual Category ○ 1 ○ 2 ◉ 3				
☐ Injured ☐ Treated ☐ Admitted	Facility:	Coroner Case #				

E

Employee #	Last Name	First Name	Middle I.	Rank		
Sex: ○ M ○ F	Race:	Height:	Weight:	Age:	Shift: ○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment:	Work Assignment (Unit #, Module, etc.):					
Individual Force Used:	○ Directed ○ Rescue ○ Medical Assist	Individual Category ○ 1 ○ 2 ○ 3				
☐ Injured ☐ Treated ☐ Admitted	Facility:	Coroner Case #				

On Duty Supervisor

☐ Additional Involved Employees

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Lauderdale	Ty	T	Sgt	YES ◉ NO ○	YES ◉ NO ○

Supervisor Completing Investigation

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Olivier	Julien	L.	Sgt	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp. #	Last Name	First Name	Middle I.	Rank
[redacted]	Barnett	Joel	L.	LT.

Watch Commander / Supervising Lieutenant's **Signature:** | Date | Copy Provided to Employee by: [redacted] | Emp #:

Keith E. Swensson

Unit Commander **(Print Name)** | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only

FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
SUSPECT INFORMATION

0 1 4 - 0 0 4 2 8 - 2 3 1 6 - 4 6 1

Suspect Information

S 1

Last Name	First Name	Middle Name	Armed? Select
[redacted]	[redacted]	[redacted]	Other Weapon: Edged

AKA Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]

Sex:	Race:	Age:	Height:	Weight	D.O.B:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
(●) Male ○ Female	M	24	505	130	[redacted]	None	None

Street Address:	City:	State & Zip Code:
[redacted]	[redacted]	[redacted]

Booking #: ---- Primary Charge Code: 5150 WIC Secondary Charge Code: -- [redacted] Criminal History

Treated on Scene? (●) YES ○ NO Name: L.A. County Fire Unit: Engine 35 Phone #: 562-865-3714

Hospital Admission? ☐ Rec'd Treatment At: La Palma Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Dr.Shoja Address: 7901 Walker Street La Palma, CA Phone #: 724-670-7400

Under Influence: (●) YES ○ NO Substance: CNS Stimulant 5150 a factor in force? (●) YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: 02/02/2014 Time: 1800 hr ☐ Audiotape: ☒ Videotape: ☒ Photos of Injuries: ☒ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S X

Last Name	First Name	Middle Name	Armed? Select

AKA Last Name	First Name	Middle Name

Sex:	Race:	Age:	Height:	D.O.B.	Weight:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
○ Male ○ Female							

Street Address:	City:	State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ○ YES ○ NO Substance: 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S X

Last Name	First Name	Middle Name	Armed? Select

AKA Last Name	First Name	Middle Name

Sex:	Race:	Age:	Height:	D.O.B.	Weight:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
○ Male ○ Female							

Street Address:	City:	State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ○ YES ○ NO Substance: 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

0 1 4 - 0 0 4 2 8 - 2 3 1 6 - 4 6 1

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Parino	Myrna	--

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Cerritos Station	Unit 232	( ) EM ( ) Day (•) PM	(•) Regular ( ) OT ( ) Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Arguello	Ramiro	A.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Cerritos Station	Unit 230T	( ) EM ( ) Day (•) PM	(•) Regular ( ) OT ( ) Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Lauderdale	Ty	T.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Cerritos Station	230S	( ) EM ( ) Day PM	(•) Regular ( ) OT ( ) Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	54	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ Additional Witness

Supervisor's Report on Use of Force

014 - 00428 - 2316 - 461

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
[redacted]	S1	LIU	E1	RS	NN	--
LIU	E1	[redacted]	S1	CT	NN	AR
[redacted]	S1	DIAZ	E2	RS	NN	--
DIAZ	E2	[redacted]	S1	CT	NN	AR
[redacted]	S1	LIU	E1	UC	NN	--
LIU	E1	[redacted]	S1	HB	NN	AK

FORCE APPLIED

CONTROL HOLD, HOBBLE, RESTRAINT DEVICE (HANDCUFFS)

INCIDENT DETAILS

Refer to IAB Summary for details.

REPORTED USE OF FORCE BY INVOLVED EMPLOYEE(S)

Refer to IAB Summary for details.

WITNESS INTERVIEW(S)

Refer to IAB Summary for details.

SUSPECT INTERVIEW(S)

Suspect Interview(s) Conducted by: ☐ **Watch Commander** ☐ **Supervising Sergeant**

Refer to IAB Summary for details.

MEDICAL REVIEW

Refer to IAB Summary for details.

TRAINING & TACTICAL REVIEW

☐ **Lessons Learned: Debriefing held to discuss training and tactical issues.**

Training and Tactical Review to be presented at the Executive Review Committee at a pending date and time.

WATCH COMMANDER'S REVIEW

Refer to IAB Summary for details.

CASE STATUS

Refer to IAB Summary for details.

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY
CATEGORY 3 USE OF FORCE

UNIT: Cerritos Sheriff's Station

DATE: February 2, 2014 (Sunday)

TIME: 1611 Hours

LOCATION: [redacted] Carolyn Street, Cerritos

URN#: 014-00428-2316-461

IAB#: FO2349945

OPENING STATEMENT:

On the morning of February 3, 2014, Internal Affairs investigators were informed of Category 3 use of force which occurred on February 2, 2014, at 1611 hours. Following the incident, Suspect [redacted] was taken to La Palma Intercommunity Hospital for medical treatment. During his treatment which included a Computed Tomography Scan (CT Scan), the CT Scan revealed Suspect [redacted] had a fracture to his back. Unaware of this circumstance, the crime scene was not preserved. Upon being notified of the incident, an Internal Affairs Bureau (IAB) Force Roll-Out Team consisting of Lieutenant Todd Weber and Sergeants Julien Olivier and Carlos Flores responded to Cerritos Station. Sergeant Julien Olivier was given the responsibility of the Force Review Investigation.

This investigation is based on statements by involved deputies, witnesses at the scene, information obtained during the investigation, along with written documentation included in the Incident Report and Supplemental Reports.

IAB Note: **See Exhibit A** to review the Incident Report and Supplemental Reports.

[redacted] will be referred to as Suspect [redacted] since he is identified as Suspect [redacted] in the Supervisor's Report on Use of Force Report.

SYNOPSIS:

On Sunday, February 2, 2014, at 1610 hours, a [redacted] disturbance phone call was received by Cerritos Sheriff's Station. The caller, [redacted] stated he needed the police to respond to his home ([redacted] because his [redacted] (Suspect [redacted] was on drugs, and going crazy. Units 232, Deputy Myrna Parino, 230T, Deputy Ramiro Arguello, 230S, Sergeant Ty Lauderdale, 231, Deputy Luke Liu, and 233A, Deputy Donald Diaz, responded to the location.

Upon arriving to the location, Deputy Parino and Deputy Arguello spoke to [redacted] in front of the location. [redacted] told them that his [redacted] (Suspect [redacted] was inside his house, and was going crazy and had tried to attack him. The deputies instructed [redacted] walk up to the front door of the location with them. The deputies had [redacted] yell into the house for Suspect [redacted] to come out. Moments later, Suspect [redacted] exited his bedroom (located on second floor), while holding two large steak knives in his right hand. Suspect [redacted] had a glazed look in his eyes, his clothing was disheveled, and he was holding the knives up around his shoulder area. He began pacing back and forth while commands were being given to him to put the knives down. He would not comply with their commands and asked that they kill him because he did not want to live anymore. After numerous commands were given to put down the knives, Suspect [redacted] complied by dropping the knives on the second floor.

Suspect [redacted] was instructed to come down stairs and he complied. Once he reached the bottom of the stairs, Deputy Diaz grabbed Suspect [redacted]s left arm and Deputy Liu the right arm in order to handcuff him. Suspect [redacted] began resisting by twisting his body and tensing his arms, not allowing them to put his arms behind his back. While struggling with Suspect [redacted] Suspect [redacted] dropped to his knees. He was then guided to the ground and onto his chest. After numerous commands were given to stop struggling, they were able to force his arms behind his back. Deputy Arguello then handcuffed Suspect [redacted] behind his back.

Suspect [redacted] was escorted to a patrol car and placed inside. Suspect [redacted] began banging his head on a window and kicking the inside of the vehicle. As a result of Suspect [redacted]s behavior, Deputy Liu hobbled his legs.

IAB Note: **See Exhibit B** to listen to the disturbance call to Cerritos Station.

The tile floor where Suspect [redacted] was handcuffed was wet due to rain water.

Sergeant Ty Lauderdale activated his body camera upon arriving to the location, and videotaped portions of this incident. As he approached the front door, Deputy Arguello can be heard saying, "Put the fuckin knife down." He uses the word "Fuckin" approximately four times. Sergeant Lauderdale then leaves and retrieves a shotgun from his vehicle. When he returns, Suspect [redacted]

is seen coming down the stairs. Deputy Parino is heard telling Suspect [redacted] to go to his knees but he did not comply. Suspect [redacted] is then grabbed by deputies and a struggle ensues. Due to Sergeant Lauderdale's positioning and the angle of the camera, a majority of the force is not seen on video, but can be heard. **See Exhibit C** to review the videotape.

Since this incident, Deputy Parino has changed her last name to "Lewis." She will be referred to as Deputy Parino throughout this case book.

Suspect [redacted] was treated at the scene by Los Angeles County Fire Department (Engine 30) for complaint of back pain. He was then transported to La Palma Intercommunity Hospital for his complaint of back pain. Upon completion of medical treatment, Deputy Joe Miranda from the Mental Evaluation Team admitted Suspect Lee for 5150 W.I.C. at College Hospital.

IAB Note: **See Exhibit D** to review Suspect [redacted]s medical records

On February 2, 2014, Sergeant Ty Lauderdale spoke to Doctor Mark Sharzer (radiologist) at La Palma Intercommunity Hospital to verify the results of the C.T.Scan. Doctor Sharzer said the fracture to Suspect [redacted]s back most likely occurred within the last five days, but could not say for certain if the fracture was caused from this incident or from another incident.

IAB Note: On February 1, 2014, at 0410, deputies for Cerritos Station used force (file #914-00414-2315-145) against Suspect [redacted] which consisted of control holds and the use of the hobble restraint device. During the force incident, Suspect [redacted] was pulled out of his vehicle which resulted in him landing on the ground, on his chest. A struggle ensued on the ground in which Suspect [redacted] was punched five to six times to his lower back area. Suspect [redacted] was transported to La Palma Intercommunity Hospital for medical treatment and to get an OK to book. X-rays were taken of his back which did not reveal any fractures. For details of the incident, **see Exhibit E.**

INVOLVED PERSONNEL AND EMPLOYEE WORK HISTORY:

Deputy Liu, Luke #[redacted]

Date of employment	06-27-07
Date of assignment to Cerritos	12-18-11

Deputy Diaz, Donald #[redacted]

Date of employment	09-13-06
Date of assignment to Cerritos	02-03-13

INVOLVED SUSPECT:

[redacted]

Sex:	Male
Race:	Asian
Date of Birth	[redacted]
Height:	505
Weight:	130
Booking #	None
Charges:	5150 WIC

The Consolidated Criminal History System revealed that Suspect [redacted] has been [redacted] Suspect [redacted] For more information, see his Consolidated Criminal History System Report.

> **IAB Note:** **See Exhibit F** to review Suspect Lee's Consolidated Criminal History System Report.

INJURIES:

Suspect [redacted] was treated at La Palma Intercommunity Hospital by Doctor Alireza Shoja for multiple abrasions to his upper lip, and a non-displaced fracture of the transverse process of the L2 and L3.

No Departmental personnel were injured during this incident.

PHYSICAL EVIDENCE:

Video footage of incident.

DEPUTY WITNESSES:

Parino, Myrna, #[redacted] Deputy Sheriff
Arguello, Ramiro, #[redacted], Deputy Sheriff
Lauderdale, Ty, #[redacted] Sergeant

NON-DEPARTMENT WITNESSES:

[redacted] D.O.B. [redacted]
D.O.B. [redacted]

WEAPONS USED BY DEPUTY PERSONNEL:

None

PROPERTY DAMAGE:

None

CRIMINAL INVESTIGATOR and CHARGES FILED:

No charges were filed against Suspect [redacted] who was taken into protective custody for 5150 WIC.

SCENE DESCRIPTION:

The location is a single family, two story home.

INVOLVED EMPLOYEE STATEMENTS:

The following is a summary of the involved deputies' statements. For more information and exact wording, see attached verbatim interview transcripts.

Deputy Luke Liu, #[redacted], was interviewed on July 28, 2014, at 1412 hours by Internal Affairs Bureau Sergeants Julien Olivier and Todd Knight. The interview was conducted at Internal Affairs Bureau, and was digitally audio recorded.

Deputy Liu stated he responded to [redacted] Carolyn Street in reference to a call he assigned himself to as an assisting unit. Upon his arrival, he saw that Deputies Parino and Arguello had already arrived. He approached the front door and saw Deputy Arguello detaining Suspect [redacted] at gunpoint while giving commands for him to "drop the knife." Deputy Arguello was standing at the front door while Suspect [redacted] was at the top of the stairs holding two knives (approximately 6" long) in his right hand, above his head. Deputy Liu, Deputy Parino, and Deputy Arguello ordered Suspect [redacted] to drop the knives. After numerous commands, he dropped the knives on the floor.

Deputy Liu ordered Suspect [redacted] to come down stairs. As he got to the bottom of the stairs, Deputy Liu grabbed Suspect [redacted]s right arm and told him to remain calm so he could handcuff him. Suspect [redacted] tried to pull away from him when Deputy Diaz, who had arrived at the location, grabbed Suspect [redacted]s left arm. Suspect [redacted] continued to pull away from them as they struggled to handcuff him. During the struggle, Suspect [redacted] dropped to his knees as he was screaming and yelling. Deputy Liu tried to hold him

up, but could not. After a brief struggle, they were able to force Suspect [redacted]s arms behind his back. Deputy Arguello then handcuffed him.

They escorted Suspect [redacted] to a patrol car and placed him inside. While inside the car, Suspect [redacted] began hitting his head on a window and kicking the inside of the vehicle. For Suspect [redacted]s safety, Deputy Liu hobbled him.

Deputy Liu authored a Supplemental Report following this incident, documenting the event and his actions. **See Exhibit A**.

Deputy Donald Diaz #[redacted] was interviewed on July 28, 2014, at 1439 hours by Internal Affairs Bureau Sergeants Julien Olivier and Todd Knight. The interview was conducted at Internal Affairs and was digitally audio recorded.

Deputy Diaz said he responded to the location and as he approached the front door, he could hear Deputy Arguello giving commands to someone to "put the knives down." Deputy Diaz looked inside the location and saw Suspect [redacted] standing at the top of the stairs holding two knives in his right hand, above his head. Deputy Diaz went back to his patrol car and removed his stun bag, shot gun. He went back into the location and saw Suspect [redacted] pacing back and forth while telling them to kill him. After numerous commands to put the knives down, he dropped the knives. They ordered Suspect [redacted] to come down stairs and when he did, Deputy Diaz grabbed his left arm. Deputy Liu, who had arrived on scene, grabbed Suspect [redacted]s right arm. They told Suspect [redacted] to put his arms behind his back, but he would not comply. Instead, Suspect [redacted] began twisting his body in an attempt to break free from their grasp. As they struggled with him, Suspect [redacted]s feet slipped on the floor causing him to fall. As Suspect [redacted] was falling, they guided him to the floor on his stomach. Deputy Arguello then handcuffed Suspect [redacted].

Deputy Diaz said he did not put his knee or hands on Suspect [redacted]s back nor did he see anyone put their knees or hands on Suspect [redacted]s back. After assisting Suspect [redacted] to his feet, Deputy Diaz walked away in order to retrieve the knives.

Deputy Diaz authored a Supplemental Report following this incident, documenting the event and his actions. **See Exhibit A**.

DEPARTMENT EMPLOYEE WITNESS STATEMENTS:

The following is a summary of Department witness statements. For additional information and exact wording, see attached verbatim interview transcripts.

Witness Sergeant Ty Lauderdale, #[redacted] was interviewed on July 9, 2014, at 0931 hours by Internal Affairs Bureau Sergeants Julien Olivier and Jose Uribe. The interview was conducted at Cerritos Sheriff's Station, and was digitally audio recorded.

Witness Lauderdale stated on February 2, 2014, he was working PM shift at Cerritos Station as Unit 230S. During his shift he responded to a call for service at [redacted] Carolyn Street in the city of Cerritos. The call was in reference to a [redacted] disturbance.

Upon arriving to the location, he approached the front door. He could hear Deputy Arguello, who was at the opened front door, yelling inside the location ordering Suspect [redacted] to "put the knife down." Also present was Deputy Diaz, Deputy Parino, and Deputy Liu. He also noticed [redacted] who was outside the location. As he stepped inside, he saw Suspect [redacted] pacing back and forth upstairs, while holding a knife (approximately 8" long) above his head. He could hear Suspect [redacted] yelling that he wanted to die and that he wanted the deputies to kill him. At the same time, the assisting deputies at the location were telling Suspect [redacted] to put the knife down. After numerous commands, Suspect [redacted] complied with their orders and put down two knives. Initially, Witness Lauderdale only saw one knife in Suspect [redacted]s hand. It was not until Suspect [redacted] put down the knife that he realized Suspect [redacted] had two knives in his hand. Suspect [redacted] was then told to come down stairs. As he got to the bottom of the stairs, Suspect [redacted] was told to go down to his knees, but he would not comply. Deputy Liu then grabbed Suspect [redacted]s left arm as Deputy Diaz grabbed his right arm. Suspect [redacted] began to struggle by tensing his body, and at the same time began slipping on the floor. It had been raining and the tile floor was wet. As a result of Suspect [redacted] slipping on the floor, Deputies Liu and Diaz guided Suspect [redacted] to the floor, and onto his chest. Witness Lauderdale stated it was not a take down. He explained Suspect [redacted] slipped on the wet floor and Deputies Diaz and Liu controlled Suspect [redacted]s descent to the floor. Once on the floor, Suspect [redacted] struggled with Deputies Diaz and Liu by tensing up his arms. A short struggle ensued to get Suspect [redacted]s arms behind his back. Once Suspect [redacted]s arms were forced behind his back, he was handcuffed.

Suspect [redacted] was stood up and escorted outside to a patrol car. During the escort, Suspect [redacted] was not walking willingly so Deputies Diaz and Liu had to push/force him along while Suspect [redacted] was yelling at them. Once placed inside a patrol car, Suspect [redacted] began crying hysterically. Shortly after, Witness Lauderdale saw Deputy Liu hobble Suspect [redacted]

Witness Lauderdale authored a Supplemental Report following this incident, documenting the event and his actions. **See Exhibit A.**

Witness Myrna Parino #[redacted] was interviewed on July 15, 2014, at 1401 hours by Internal Affairs Bureau Sergeants Julien Olivier and Jose Uribe. The interview was conducted at Cerritos Sheriff's Station and was digitally audio recorded.

Witness Parino stated upon her arrival to the location, she and Deputy Arguello contacted [redacted] in front of the location. [redacted] told them that he had been involved in an argument with his [redacted] (Suspect [redacted] who tried to attack him. He further added that his [redacted] was acting crazy and might be under the influence of drugs.

The three of them walked up to the front door to the location. At the same time, Sergeant Lauderdale arrived to the location and also walked up to the front door. Witness Parino had [redacted] call out to his [redacted] who was inside his (Suspect [redacted] bedroom, which was located upstairs. Initially, Suspect [redacted] refused to come out of his room because he thought he would be arrested. When he did come out, Suspect [redacted] was holding two large (6-7 inches) kitchen knives in his right hand. The knives were being held at chest/head level. This became an immediate concern for Witness Parino because she was concerned for her safety and the safety of her partners. Witness Parino and Deputy Arguello began giving commands to Suspect [redacted] to put the knives down, while Witness Parino grabbed her Taser (Electronic Immobilization Device). Instead of complying with their commands, Suspect [redacted] told them to kill him because he did not want to live anymore. Witness Parino said this was a suicide by cop type scenario. She felt she was dealing with someone who did not want to live anymore and wanted the police to kill him. At the same time, Deputy Diaz and Deputy Liu showed up to the location. They continued to negotiate with Suspect [redacted] and were eventually able to get him to drop the knives and come down stairs.

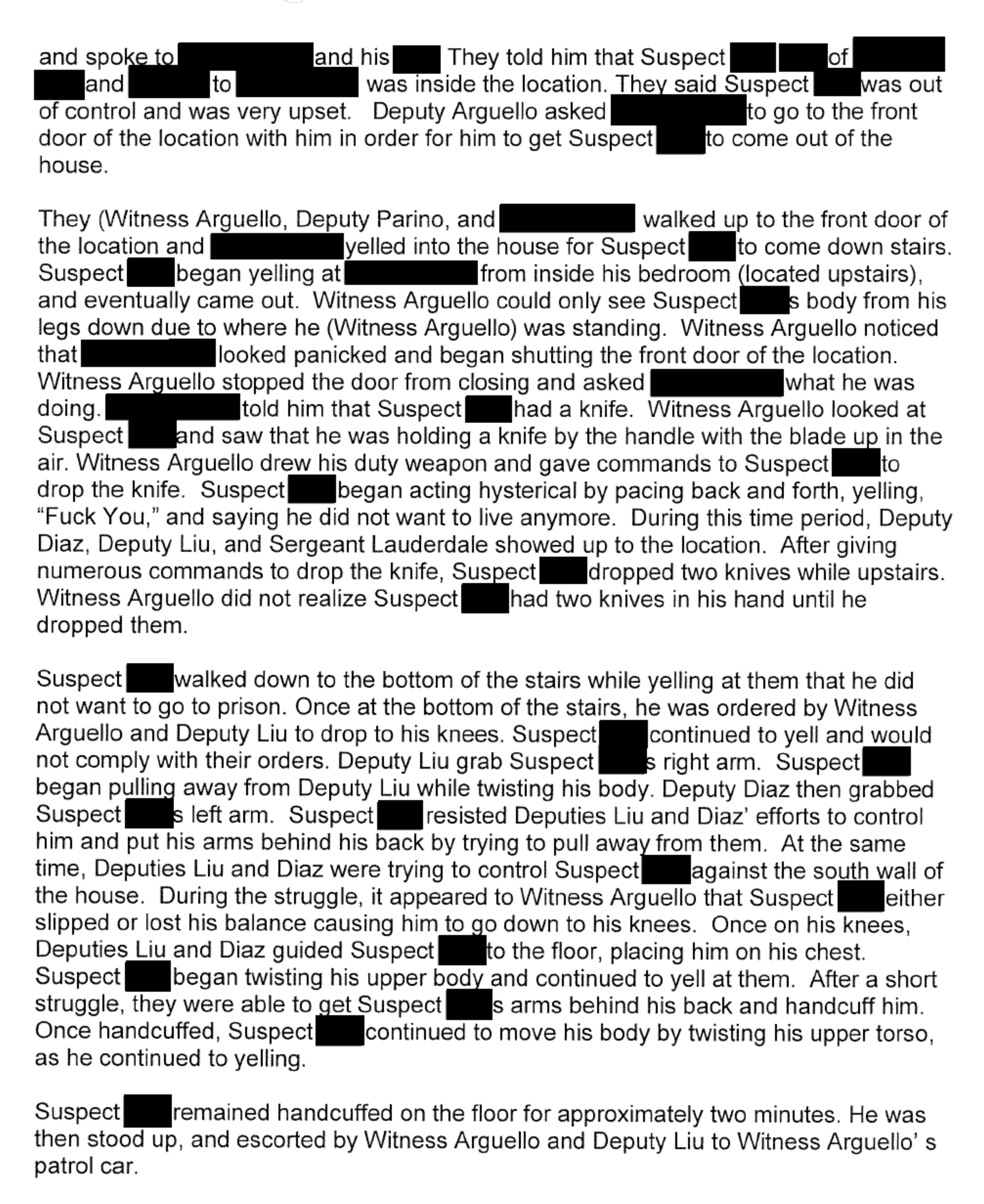
As he was walking down the stairs, he began reaching into his pockets. This was a concern for Witness Parino because Suspect [redacted] had not been searched and he could have been reaching for a weapon. As Suspect [redacted] reached the bottom of the stairs, Deputy Liu grabbed Suspect [redacted]s right arm while Deputy Diaz grabbed Suspect [redacted]s left arm. Suspect [redacted] began resisting Deputies Diaz and Liu' s effort to handcuff him by not allowing them to put his hands together behind his back. Instead, Suspect [redacted] was pushing his arms out. Witness Parino also noticed Suspect [redacted]s feet were slipping on the wet tile floor during the struggle. During the struggle, Witness Parino heard someone tell Suspect [redacted] to either go down to his knees or to the floor. Witness Parino said Suspect [redacted] complied as Deputy Liu and Deputy Diaz guided Suspect [redacted] to the floor, where he laid on his chest. Witness Parino described the term "guided" to the floor as a controlled descent to the floor. Suspect [redacted] continued to resist Deputies Liu and Diaz by pushing his arms out from his sides. After a short struggle to put Suspect [redacted]s arms behind his back, Deputy Arguello was able to handcuff Suspect [redacted] At no time during the struggle did Witness Parino see anyone put their hands or knees on Suspect [redacted]s lower back.

Suspect [redacted] was assisted to his feet and escorted outside to a patrol car. During the escort, Suspect [redacted] complained of lower back pain.

Witness Parino authored a Supplemental Report following this incident, documenting the event and her actions. **See Exhibit A**.

Witness Ramiro Arguello #[redacted] was interviewed on July 15, 2014, at 1441 hours by Internal Affairs Bureau Sergeants Julien Olivier and Jose Uribe. The interview was conducted at Cerritos Sheriff's Station and was digitally audio recorded.

Witness Arguello stated upon arriving to the location with Deputy Parino, he saw [redacted] and his [redacted] in front of the location. Witness Arguello went



and spoke to [redacted] and his [redacted] They told him that Suspect [redacted] of [redacted] and [redacted] to [redacted] was inside the location. They said Suspect [redacted] was out of control and was very upset. Deputy Arguello asked [redacted] to go to the front door of the location with him in order for him to get Suspect [redacted] to come out of the house.

They (Witness Arguello, Deputy Parino, and [redacted] walked up to the front door of the location and [redacted] yelled into the house for Suspect [redacted] to come down stairs. Suspect [redacted] began yelling at [redacted] from inside his bedroom (located upstairs), and eventually came out. Witness Arguello could only see Suspect [redacted]s body from his legs down due to where he (Witness Arguello) was standing. Witness Arguello noticed that [redacted] looked panicked and began shutting the front door of the location. Witness Arguello stopped the door from closing and asked [redacted] what he was doing. [redacted] told him that Suspect [redacted] had a knife. Witness Arguello looked at Suspect [redacted] and saw that he was holding a knife by the handle with the blade up in the air. Witness Arguello drew his duty weapon and gave commands to Suspect [redacted] to drop the knife. Suspect [redacted] began acting hysterical by pacing back and forth, yelling, "Fuck You," and saying he did not want to live anymore. During this time period, Deputy Diaz, Deputy Liu, and Sergeant Lauderdale showed up to the location. After giving numerous commands to drop the knife, Suspect [redacted] dropped two knives while upstairs. Witness Arguello did not realize Suspect [redacted] had two knives in his hand until he dropped them.

Suspect [redacted] walked down to the bottom of the stairs while yelling at them that he did not want to go to prison. Once at the bottom of the stairs, he was ordered by Witness Arguello and Deputy Liu to drop to his knees. Suspect [redacted] continued to yell and would not comply with their orders. Deputy Liu grab Suspect [redacted]s right arm. Suspect [redacted] began pulling away from Deputy Liu while twisting his body. Deputy Diaz then grabbed Suspect [redacted]s left arm. Suspect [redacted] resisted Deputies Liu and Diaz' efforts to control him and put his arms behind his back by trying to pull away from them. At the same time, Deputies Liu and Diaz were trying to control Suspect [redacted] against the south wall of the house. During the struggle, it appeared to Witness Arguello that Suspect [redacted] either slipped or lost his balance causing him to go down to his knees. Once on his knees, Deputies Liu and Diaz guided Suspect [redacted] to the floor, placing him on his chest. Suspect [redacted] began twisting his upper body and continued to yell at them. After a short struggle, they were able to get Suspect [redacted]s arms behind his back and handcuff him. Once handcuffed, Suspect [redacted] continued to move his body by twisting his upper torso, as he continued to yelling.

Suspect [redacted] remained handcuffed on the floor for approximately two minutes. He was then stood up, and escorted by Witness Arguello and Deputy Liu to Witness Arguello' s patrol car.

Witness Arguello authored a Supplemental Report following this incident, documenting the event and his actions. **See Exhibit A**.

NON- EMPLOYEE WITNESS STATEMENTS

Witness [redacted] was interviewed on June 25, 2014, at 1333 hours, by Internal Affairs Bureau Sergeants Julien Olivier and Jose Uribe. The interview was conducted at [redacted] Carolyn Street, in the city of Cerritos, and was digitally audio recorded.

Witness [redacted] said he had an argument with Suspect [redacted] which resulted in him (Witness [redacted] calling the police. When the police arrived, he spoke to them out front of his house. He then went to the front door of his house and called inside for Suspect [redacted] to come outside. When Suspect [redacted] came out of his bedroom, the police (Deputy Sheriff's) told him to move away. He then walked outside near his garage. He could hear the deputies telling Suspect [redacted] to drop a knife. Witness [redacted] did not see the knife.

The next thing Witness [redacted] saw was Suspect [redacted] being escorted outside. He did not see what happened inside the location between Suspect [redacted] and the deputies. The deputies then threw Suspect [redacted] on the grass where he sat for approximately ten minutes.

> **IAB Note:** No one, including Suspect [redacted] ever mentioned Suspect [redacted] being thrown onto the grass.

> **IAB Note:** During Witness [redacted]s interview, he said he did not witness what happened in the house between Suspect [redacted] and the deputies. Later in his interview he said he saw Suspect [redacted] on the floor struggling with the deputies, while inside the location.

> **IAB Note:** Following this incident, [redacted] and [redacted] were interviewed by Sergeant Lauderdale because they were present during this incident. The interviews were audio recorded. They stated they did not witness the use of force incident. For their complete statements, refer to **Exhibit C, under file "Sergeant Lauderdale's Interviews.**

Although [redacted] did not witness the force incident, he was present as this incident unfolded, and provided pertinent information into this investigation. He will be referred to as Witness [redacted].

Witness [redacted] was interviewed on June 25, 2014, at 1357 hours, by Internal Affairs Bureau Sergeants Julien Olivier and Jose Uribe. The interview was conducted at [redacted] Carolyn Street, in the city of Cerritos. The interview was digitally audio recorded.

Witness [redacted] stated he was at work when his [redacted] ([redacted] called him and asked that he come home. Witness [redacted] said when his [redacted] "fights," his [redacted] calls

him to help "settle everything down." He assumed this is why his [redacted] wanted him to come home.

Upon arriving home, he spoke to his [redacted] who was upset with his [redacted] (Suspect [redacted]. Witness [redacted] then went into his [redacted]s bedroom to talk to him. Their conversation ended in an argument, so he left the room. Prior to leaving the bedroom, Witness [redacted] noticed a drug pipe and white powder. Witness [redacted] stated that his [redacted] has smoked methamphetamine in the past but did not know if he had used drugs recently.

Witness [redacted] went down stairs to where his [redacted] was. His [redacted] was upset and said he was going to call the police. Suspect [redacted] heard their conversation and tried forcing them out of the house. Witness [redacted] and his [redacted] eventually went outside to the front of their home and his [redacted] called Cerritos Sheriff's Station. Witness [redacted] then went and sat inside his car, which was parked in their driveway, pending the arrival of the police. His [redacted] also went into his ([redacted] car, which was parked across the street from their home.

The police showed up and he and his [redacted] spoke to them. After speaking to them, Witness [redacted] went back inside his car. Witness [redacted] could see the deputies talking to his [redacted] but could not hear what they were saying because his windows to his vehicle were rolled up.

Witness [redacted] remained in his vehicle as he saw the deputies approach the front door of his home and go out of sight. He could not see what was happening because his view was blocked by the side of his house. Witness [redacted] could hear yelling but could not make out what was being said due to his windows still being rolled up. A few minutes later, he saw the deputies escorting Suspect [redacted] out the front of his house and into a police car. During the escort, Suspect [redacted] was handcuffed and the police had his (Suspect [redacted] arms pulled up causing his [redacted] to bend forward, as if they were dragging him.

Witness [redacted] further stated that when Suspect [redacted] was younger, he complained about his back hurting. He said he thought the pain to his [redacted]s back might have something to do with the weather, or possibly a pinched nerve.

For complete details of Witness [redacted]s interview, refer to his audio file.

SUSPECT [redacted]S INTERVIEW:

Suspect [redacted] was interviewed on February 2, 2014, by Cerritos Sheriff's Station Watch Commander Lieutenant Joel Barnett and Sergeant Ty Lauderdale. The interview was conducted at La Palma Intercommunity Hospital, and was video recorded.

Suspect [redacted] stated he was upset with his [redacted] because his [redacted] kept moving his personnel belongings. During their argument, his [redacted] called the police. The police

(Deputy Sheriffs) arrived while he was upstairs holding a seven inch knife in his hand. The deputies told him to drop the knife and he complied. He then walked down stairs and was tackled to the ground and handcuffed. He was then placed inside a patrol car.

Suspect [redacted] complained of back pain as a result of this incident. He further added that he had recently (prior to his incident) been medically treated at the hospital for back pain. Suspect [redacted] stated the injury to his lip was not caused from this incident, but from another incident, which occurred last night in which he was arrested.

IAB Note: Lieutenant Barnett obtained information from the medical staff that Suspect [redacted] had been medically treated at the hospital two days ago, and one week prior, for back pain.

Suspect [redacted] stated that he had smoked marijuana prior to the deputies arriving, and had used methamphetamine a few days prior to the incident.

For complete details of Suspect [redacted]s interview, see **Exhibit C, "Susp Interview."**

Suspect [redacted] was interviewed on June 25, 2014, at 1253 hours by Internal Affairs Bureau Sergeants Julien Olivier and Jose Uribe. The interview was conducted at [redacted] Carolyn Street, in the city of Cerritos, and was digitally audio recorded.

Suspect [redacted] stated he got into an argument with his [redacted] and his [redacted] called the police. When the police (Deputy Sheriff's) arrived, he grabbed two knives because he felt threatened by the deputies. He remained upstairs while the deputies were at his front door telling him to put down the knives down. He eventually put down the knives and walked down stairs. Once he got to the bottom of the stairs, approximately five deputies grabbed him. Suspect [redacted] tensed up his body and tried to move around as the deputies forced him to the ground. He resisted their efforts due to the pain he was experiencing in his back. He landed on his knees and then onto his chest. While on the floor, he struggled with the deputies because he "does not like being in that position." The deputies handcuffed him, stood him up, and escorted him to a patrol car. Once inside the car, he began banging his head on a window because he was frustrated.

IAB Note: Initially, Suspect [redacted] stated that the deputies did not put their hands or knees on his back while he was on the ground, nor was he hit. He recanted his statement and said someone hit him a few times to his back, and someone put their knee on his lower back. **See page 14, of Suspect Lee's transcripts, for more details.**

Suspect [redacted] stated he had videotaped the incident with the use of his cell phone, but he no longer has a copy of the video.

Following this incident, Suspect [redacted] stated he was seen by a doctor who diagnosed him with being Bipolar and Schizophrenic.

For complete details of Witness [redacted]s interview, refer to his transcripts which are included in this case book.

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